

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NY 10007-1866

DEC 27 2002

To Whom It May Concern:

Re: Hospital Environmental Compliance Initiative and Voluntary Discovery/Disclosure of Potential Environmental Violations

I am writing this letter to urge you to take advantage of EPA's Audit Policy.

In many instances, unilateral EPA action can be avoided by voluntary compliance through the utilization of EPA's Audit Policy "*Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations, Notice*, 65 F.R. 19618, April 11, 2000." The Audit Policy has several important goals including promoting greater compliance with federal laws and regulations which protect human health and the environment through self-policing, discovery, disclosure, correction and prevention. If certain criteria are met, reductions in gravity-based penalties of up to 100%, resulting from EPA enforcement of violations discovered and disclosed by your institution under the Audit Policy, are possible. A copy of the Audit Policy is enclosed. The Audit Policy, along with some interpretive guidance, is also available on the Internet at <http://www.epa.gov/region02/capp/cip/>.

The U. S. Environmental Protection Agency (EPA) Region 2 is planning to conduct inspections of hospitals within our region (New York, New Jersey, Puerto Rico, and the U.S. Virgin Islands) during the coming year to determine compliance with environmental regulations, including but not limited to, regulations under the Resource Conservation and Recovery Act, the Clean Air Act, and the Clean Water Act.

I urge you to take advantage of the Audit Policy to identify any violations and to voluntarily correct them prior to our planned inspections. If violations are discovered during an EPA inspection of your facility that was planned prior to your self-disclosing them, penalty reductions that might be possible through the Audit Policy will not apply.

Any voluntary compliance evaluations undertaken by your institution in response to this letter should focus on compliance with all federal environmental regulations, particularly those dealing with hazardous waste regulations, underground and above ground storage tanks, water discharges and air emissions. To help you in this endeavor, I have enclosed a list of environmental regulations that may apply to your hospital and a list of some of the common violations found in the healthcare sector. There may be other environmental regulations that apply depending on the activities at your facility.

To assist you in understanding some of the most significant federal environmental regulations, and to provide you with facts about the Audit Policy, the usefulness of environmental management systems and what efforts hospitals can undertake to minimize pollution, we are offering a number of conferences, the next of which will be with Long Island Jewish Hospital at the Zucker (formerly Hillside) Memorial Hospital facility on January 21, 2003, followed by another at Beth Israel Medical Center in Manhattan on February 26, 2003. Information about the location, registration and agenda will be forthcoming in the mail, and on the Region 2 website at <http://www.epa.gov/region02/capp/healthcare/>.

If you have questions or need more information regarding this compliance initiative, please see the following website, <http://www.epa.gov/region02/capp/cip/> or you may call Diane Buxbaum, Hospital Compliance Coordinator at (212) 637-3919. For questions regarding the Audit Policy, please contact John Gorman, Audit Policy Coordinator, at (212) 637-4008. Enclosed is a fact sheet with useful websites, documents and other resources.

EPA is planning to offer additional conferences in 2003 to expand the level of awareness of environmental and pollution prevention issues in the hospital sector. If your facility is willing to host such a conference, with EPA providing the speakers and training materials, please contact Diane Buxbaum of my staff at (212) 637-3919.

Sincerely yours,



Richard L. Caspe, P.E., Director  
Division of Enforcement and Compliance Assistance

Enclosures

cc: James H. Ferreira, Esq., Deputy Commissioner and General Counsel  
New York State Department of Environmental Conservation

Lisa Jackson, Assistant Commissioner, Compliance and Enforcement  
New Jersey Department of Environmental Protection

Zoraida Samo, Esq., Director, Legal Division  
Puerto Rico Environmental Quality Board

Hollis L. Griffin, Director, Division of Environmental Protection  
U.S. Virgin Islands Department of Planning and Natural Resources